

SUMMARY OF THE HOUSE INTERIM COMMITTEE ON DOMESTIC VIOLENCE REPORT

Reps. Vicky Riback Wilson & Bill Luetkenhaus, Co-Chairmen

After 8 public hearings held in 7 locations around the state (with nearly 40 hours of testimony from over 120 witnesses) and 5 working meetings, the Committee developed and agreed upon 22 specific recommendations, 13 of which will be followed up with proposed legislation.

The recommendations to be implemented by proposed legislation include:

- enacting a separate crime of "domestic violence";
- expanding the multi-disciplinary death review boards to all suspicious deaths;
- requiring local law enforcement to determine whether any criminal case is related to domestic violence;
- adopting Uniform Crime Reporting;
- enacting the "excited utterance" hearsay exception for domestic violence cases;
- enacting a confidentiality privilege for information provided by victims to shelter workers;
- enacting a mandatory 8-hour minimum holding period and expanding the maximum holding period from 20 to 36 hours when domestic violence is the primary cause for arrest;
- amending the stalking/harassment laws to reflect new technologies used by perpetrators;
- requiring uniform order-of-protection forms with a check-off box for a court finding of abuse in consent cases and a check-off box containing the required Violence Against Women Act language;
- enacting state statutes that mirror federal law prohibiting the possession or purchase of firearms by domestic violence offenders;
- adding medical expenses of domestic violence victims to the list of expenses that a court can order a perpetrator to pay;
- amending insurance laws to allow innocent coinsured victims to collect on policies if they cooperate in the prosecution of the coinsured offender; and,
- amending the domestic violence insurance non-discrimination law to define "sole reason"

to include acts making a pattern of domestic violence.

The recommendations not accompanied by proposed legislation include:

- identifying and appropriating additional state and federal funding for domestic violence programs and increasing the flexibility of funding to fit local needs;
- increased training and education for those persons who have contact with domestic violence victims, batterers, and their children, including judges, court personnel, prosecutors, lawyers, law enforcement, guardians ad litem, mediators, educators, and health and mental health professionals;
- linking funding, licensure and certification requirements for health care, mental health service providers, and educators to completion of domestic violence training and education;
- linking funding and judicial qualification standards (especially for family court judges) to completion of domestic violence training and education;
- expanding the Missouri Coalition Against Domestic Violence/Department of Social Services training to all parts of the state, with the necessary funding;
- making domestic violence prevention curricula available to be incorporated into existing violence prevention curriculum of local school districts, with the DESE assisting in the coordination and dissemination of culturally- and age-appropriate curricula;
- examining and possibly amending relocation, child custody and visitation statutes;
- examining and possibly enacting legislation deeming domestic violence-related separations from employment as "good cause" for unemployment benefits determinations; and,
- not mandating reporting of suspected domestic violence by health, mental health or other care providers.

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